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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,119	07/23/2003	David Blessing	01W122	8790

7590 09/03/2004

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EXAMINER

SCHULTERBRANDT, KOFI A

ART UNIT PAPER NUMBER

3632

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/625,119

Applicant(s)

BLESSING, DAVID

Examiner

Kofi A. Schulerbrandt

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

This first Office Action is in response to Applicant's originally filed Application received on July 23, 2003 in this case.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 9, 10, 12, 13, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shelton (5,505,425), in view of Wood (6,595,530). Shelton teaches, substantially, each feature of the claimed invention. Shelton teaches a cross beam, but does not teach a pair of cross beams. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified Shelton to have two cross beams (46, 48, 50) in order to make the frame system more stable. Shelton also does not teach adjustable leading and trailing columns. Wood, however, teaches adjustable leading and trailing columns (See col. 3, lns. 34-56). It would have been obvious to one of ordinary skill in the art at the time of invention to have formed Shelton's columns (20) to be telescopically adjustable as taught by Wood in order to adjust the clearance of the frame structure over the surface on which the casters travel.

Claims 6, 7, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shelton (5,505,425), in view of Wood (6,595,530) and Yost et al.

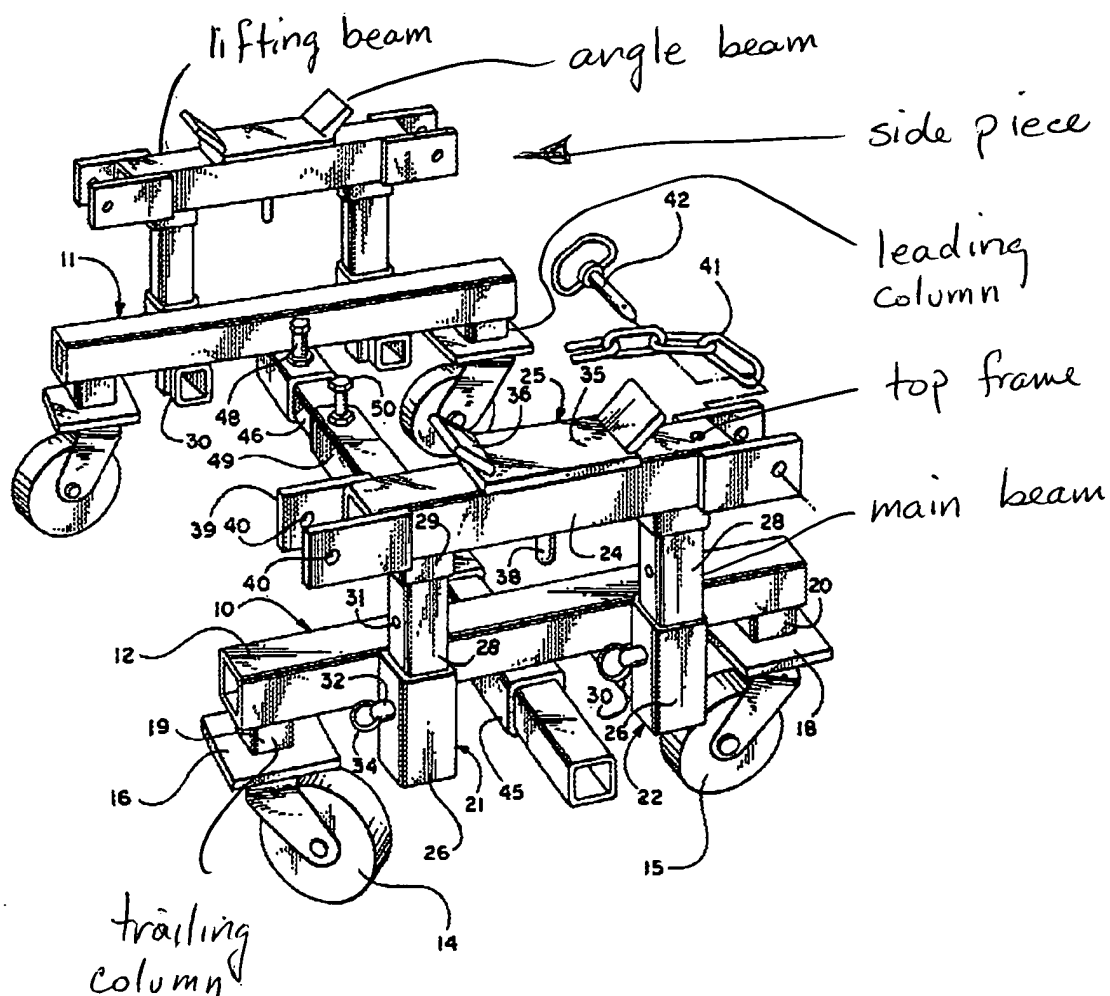
(6,109,600). Shelton and Wood teach, substantially, each feature of the claimed invention as discussed above. Neither Shelton nor Wood teach the claimed pair of suspension hooks. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified Shelton to have include hooks instead of holes (40) for hooking and suspending a chain as taught in Yost et al. (See col. 4, Ins. 34-43). Furthermore it would have been obvious to have modified the size of Shelton's lifting beam (24) in order to accommodate objects of different sizes and weights including modifying Shelton's lifting beam to be from 18 inches to 30 inches which would place the suspension hooks the claimed width apart.

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shelton (5,505,425), in view of Wood (6,595,530) and Ho (5,065,989). Shelton and Wood teach, substantially, each feature of the claimed invention as discussed above. Neither Shelton nor Wood teach an equipment rack affixed to the pair of leading columns. Ho, however, teaches the claimed rack. It would have been obvious to one of ordinary skill in the art at the time of invention modified Shelton's columns to include a tool/equipment rack as taught by Ho in order to provide a place for vehicle maintenance tools/equipment.

Claims 11 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shelton (5,505,425), in view of Wood (6,595,530) and Marshall, Jr. (4,685,859). Shelton and Wood teach, substantially, each feature of the claimed invention as discussed above. Neither Shelton nor Wood teach an air craft store article. Marshall Jr. (4,685,859), however, teaches the claimed article being held by a mobile support. It

Art Unit: 3632

would have been obvious to one of ordinary skill in the art at the time of invention to have supported Marshall Jr.'s aircraft store on Shelton's support as Shelton would provide an equivalent movable support for transporting an aircraft store.

**Fig. 1**

Prior Pertinent Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. '341 to Borsani and ' 178 to Steffe each teach article supports.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kofi A. Schulerbrandt whose telephone number is (703) 306-0096. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kofi Schulerbrandt
August 30, 2004



LESLIE A. BRAUN
SUPERVISORY PATENT EXAMINER